

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

Madison DIVISION

(Rev. 12/8/2020)
RECEIVED

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TONY R. MOORE CLERK
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT LOUISIANA *mw*

Victor D Batton

Plaintiff

Civil Action No. _____ SEC. P

Prisoner # 569538

VS.

Judge _____

Bayou Correctional Facility

Defendant

Magistrate Judge _____

COMPLAINT
PRISONER CIVIL RIGHTS UNDER 42 U.S.C. § 1983

I. Previous Lawsuits

a. Have you begun any other lawsuit while incarcerated or detained in any facility?

Yes _____ No ☒

b. If your answer to the preceding question is "Yes," provide the following information.

1. State the court(s) where each lawsuit was filed (if federal, identify the District, if state court, identify the County or Parish):

2. Name the parties to the previous lawsuit(s):

Plaintiffs: _____

Defendants: _____

3. Docket number(s): _____

4. Date(s) on which each lawsuit was filed: _____

5. Disposition and date thereof [For example, was the case dismissed and when? Was it appealed and by whom (plaintiff or defendant)? Is the case still pending?]:

(Rev. 12/8/2020)

- c. Have you filed any lawsuit or appeal in any federal district court or appeals court which has been dismissed?

Yes _____ No ☒

If your answer to the preceding question is "Yes," state the court(s) which dismissed the case, the civil action number(s), and the reason for dismissal (e.g., frivolity, malice, failure to state a claim, defendants immune from relief sought, etc.).

II. a. Name of institution and address of current place of confinement:

Bayou Correctional Facility Center

- b. Is there a prison grievance procedure in this institution?

Yes _____ No ☒

1. Did you file an administrative grievance based upon the same facts which form the basis of this lawsuit?

Yes _____ No ☒

2. If you did not file an administrative grievance, explain why you have not done so.

anytime I try to file anything like this, the
"computers are down"; tablets don't work; or "paper work"
lost

3. If you filed an administrative grievance, answer the following question. What specific steps of the prison procedure did you take and what was the result? (For example, for state prisoners in the custody of the Department of Public Safety and Corrections: did you appeal any adverse decision through to Step 3 of the administrative grievance procedure by appealing to the Secretary of the Louisiana Department of Public Safety and Corrections? For federal prisoners: did you appeal any adverse decision from the warden to the Regional Director for the Federal Bureau of Prisons, or did you make a claim under the Federal Tort Claims Act?)

Attach a copy of each prison response and/or decision rendered in the administrative proceeding.

III. Parties to Current Lawsuit:

a. Plaintiff, Bayou Correctional Facility Center

Address 196 Old Highway 65 South, Tallulah, LA 71282

(Rev. 12/8/2020)

- b. Defendant, _____, is employed as
_____ at _____.
- Defendant, _____, is employed as
_____ at _____.
- Defendant, _____, is employed as
_____ at _____.
- Additional defendants, _____

IV. Statement of Claim

State the **FACTS** of your case. Specifically describe the involvement and actions of each named defendant. Include the names of all persons involved in the incident(s) or condition(s) giving rise to this lawsuit, and the dates upon which and the places where the incident(s) and/or condition(s) occurred. **YOU ARE REQUIRED TO SET FORTH ONLY FACTUAL ALLEGATIONS. YOU ARE NOT REQUIRED TO SET FORTH LEGAL THEORIES OR ARGUMENTS.**

see attached write up. and attached
"Statement of Incident"

V. Relief

(Rev. 12/8/2020)

State exactly what you want the court to provide to you or do for you. Make no legal arguments. Cite no cases or statutes.

Transfer to proper facility to rehabilitate and tend to
my medical needs; file for restitution and get
disability for my now disability, dismiss current
warden and medical staff for negligence and
hold legally liable.

VI. Plaintiff's Declaration

- a. I understand that if I am transferred or released, I must apprise the Court of my address, and my failure to do so may result in this complaint being dismissed.
- b. I understand that I may not proceed without prepayment of costs if I have filed three lawsuits and/or appeals that were dismissed on grounds that the action and/or appeal was frivolous or malicious, or failed to state a claim upon which relief may be granted, unless I am in imminent danger of serious physical injury.
- c. If I am located in a prison participating in the Electronic Filing Pilot Program, I consent to receive orders, notices and judgments by Notice of Electronic Filing.

Signed this 30 day of October, 20 21.

569538

Prisoner no. (Louisiana Department of
Corrections or Federal Bureau of Prisons)

V. J. Falt

Signature of Plaintiff

Dorm: Bravo

"Statement of Incident"

06/06/2021 2:02 am

On the above date and time, I Victor Bottom was in Bravo dorm with DeKaylane Anderson (Pre Trial) arm wrestling in the clayroom area when I heard a loud pop and I saw my arm snap. Capt. Brown was called to Bravo dorm by Cpl. Drake because I was seen grabbing my right arm. I was escorted to the Hallway after they reviewed the camera they put me in handcuffs which cause more pain. I was escorted to Madison Parish Hospital by Sgt. Turner.

note: I did not get the proper medical attention as needed. I am submitting this complaint because of the overall negligence of the current Correctional Facility, that houses me; in addition to the lack of urgency or care in the way they have handled the medical emergency that overall resulted in my disability. Below I have Bulleted key factors in why such submission is taking place and concerns that should be addressed.

- Lack of staff involvement in fight prevention
 - Negligency on sense of urgency to medical emergencies; thinking we are always faking.
 - Unqualified medical staff / always on call
 - Lack of emergency awareness in cell
 - Unwillingness to handle personal safety
- (ran like a gladiator camp)
- Retaliation to submission about other staff.
 - Unwilling to transfer to other dorms / facility
 - Inconsistent physical therapy visits
 - Lack of following my Civil Rights including Hippa.

These are just some of the issues and would love to have the chance to speak to someone in person about this because it is known that they read and filter all incoming and outgoing mail; they have no regard for legal mail at all.